

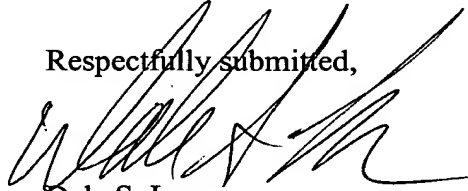
Specifically, the present application claims priority from an application filed in Japan on March 24, 1998. Hence, the invention date of the present application is at least as early as March 24, 1988, which is before the U.S. filing date of Yamazaki et al. In particular, Yamazaki et al. was filed in the U.S. pursuant to an international PCT application filed in Japan, which has an international filing date prior to November 29, 2000 and was not published in English. As described in MPEP § 2136.01, the 102(e) date of Yamazaki et al. is therefore the date on which paragraphs (1), (2), and (4) of 35 USC § 371(c) were fulfilled. As noted on the first page of Yamazaki et al., the 371(c) requirements were fulfilled on July 2, 1998, which is after the priority date of March 24, 1998 for the present application. Accordingly, Yamazaki et al. does not qualify as prior art relative to the present application.

Concerning Fishman, enclosed herewith is a Declaration under 37 CFR § 1.131, establishing a date of invention at least as early as October 8, 1997. The Declaration additionally includes a copy of the Japanese application from which the present application claims priority and an English translation thereof. The earliest effective U.S. filing date of Fishman is February 27, 1998 (when the provisional application was filed) and this date is later than our declared invention date of October 8, 1997. Therefore, Fishman is not prior art relative to the present application.

The enclosed Declaration includes two signature pages as one of the inventors is now residing in Germany, and who therefore signed a signature page separate from that of the other inventors.

In view of the above, the rejections of Claims 1-21 based on either Fishman or Yamazaki are moot, and withdrawal of the outstanding rejections is respectfully requested. If there are any questions, please contact the undersigned attorney for applicant.

Respectfully submitted,



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Attachments:
Exhibits A, B, C and D